

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.241

CRM-M-25956-2021 (O&M)

Date of decision: 02.02.2023

Sachin Saxena and another

....Petitioners

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Atul Yadav, Advocate
for the petitioners.

Mr. Rajiv Sidhu, DAG, Haryana.

Mr. Vikrant Rana, Advocate
for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.0264 dated 16.11.2020 registered under Sections 406 and 420 IPC at Police Station Sushant Lok, District Gurugram and all subsequent proceedings arising out of it on the basis of a compromise deed dated 05.06.2021 (Annexure P-2).

On 14.10.2021 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court concerned on 16.11.2021 for recording of their respective statements with regard to the compromise/settlement, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise, if any, between the parties as also to apprise this Court if there is any other case pending against them and his/their status of being proclaimed offender/person.

As directed, report dated 22.11.2021 from the Additional Chief Judicial Magistrate, Gurugram has been received, as per which the parties had recorded their statements before the Trial Court in terms of the compromise arrived at between them and none of the petitioners has been declared a proclaimed offender.

Learned State counsel has also raised no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR in which the offences are not heinous and the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Supreme Court in **Narinder Singh vs. State of Punjab, (2014) 6 SCC 466**, this Court deems it just and proper to allow the petition and resultantly quash the FIR No.0264 dated 16.11.2020 registered under Sections 406 and 420 IPC at Police Station Sushant Lok, District Gurugram and all proceedings arising therefrom, qua the petitioners.

February 02, 2023
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No